United Nations A/57/L.40

General Assembly

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Fifty-seventh session
Agenda item 22 (q)
Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

Romania: draft resolution

Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

Taking note of the note by the Secretary-General on cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,[1]

Taking note also of the report of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,[2]

Decides to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization".

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[1] A/57/255.
[2] See A/57/255.

02-70134 (E) 191102

United Nations A/57/L.41

General Assembly

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19 November 2002

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Fifty-seventh session
Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Angola, Argentina, Czech Republic, Mozambique, Norway, Portugal and South Africa: draft resolution

International assistance for the economic rehabilitation of Angola

The General Assembly,

Recalling all previous resolutions in which it called upon the international community to continue to render material, technical and financial assistance for the economic rehabilitation of Angola,

Recalling also that the Security Council, in resolution 922 (1994) of 31 May 1994 and in subsequent resolutions adopted as from 2001, the President of the Security Council, in statements on Angola, and the General Assembly, in all of its resolutions on international assistance for the economic rehabilitation of Angola, had, inter alia, called upon the international community to provide economic assistance to Angola,

Noting that the signing by the Government of Angola and União Nacional para a Independência Total de Angola of the Memorandum of Understanding additional to the Lusaka Protocol,[1] on 4 April 2002 resulted in the cessation of all hostilities and created unprecedented conditions for the resolution of all pending questions in respect of the Lusaka Protocol[2] and full compliance with its provisions,

Bearing in mind that the main responsibility for improving the humanitarian situation and creating the conditions for long-term development and poverty reduction in Angola lies with the Government of Angola, together with, where appropriate, the participation of the international community,

Taking into account the initiatives taken by the Government of Angola to allocate the human, material and financial resources to improve the social and

[1] See S/2002/483, annex.
[2] S/1994/1441, annex.

02-69937 (E) 211102

economic situation of the population and to address the humanitarian situation, and stressing the need to allocate more means to that end, with the cooperation of the international community,

Bearing in mind that the measures taken by the Government of National Unity and Reconciliation towards reconstruction, rehabilitation, social and economic stabilization, including the emergency measures, need to be strengthened in order to improve the precarious situation of some 4 million internally displaced people and other vulnerable groups, of which some 1.54 million have critical food needs,

Noting the urgent need to address as well as to increase national efforts and international support for humanitarian mine-action activities, resettlement of internally displaced persons and the return of refugees, and disarmament, demobilization, rehabilitation and reintegration of former combatants, as well as reintegration of other vulnerable groups, so as to allow the country to tackle the social, economic and humanitarian crisis,

Recalling the first Round-table Conference of Donors, held in Brussels on 26 and 27 September 1995, with a view to mobilizing funds for the Community Rehabilitation and National Reconciliation Programme and supporting the efforts made by the Government of Angola,

Welcoming the efforts made by donors and United Nations agencies, funds and programmes, to provide humanitarian, economic and financial assistance to Angola,

Welcoming also the establishment of the United Nations Mission in Angola, in accordance with Security Council resolution 1433 (2002) of 15 August 2002,

Taking note of the report of the Secretary-General to the Security Council on the situation in Angola,[3]

Noting the logistical difficulties in the distribution of relief supplies to vulnerable populations and urging the Government of Angola to ensure that humanitarian donations are cleared through the customs services in an expeditious manner,

1. *Takes note* of the report of the Secretary General to the Security Council on the situation in Angola;[3]

2. *Welcomes* the signing of the Memorandum of Understanding additional to the Lusaka Protocol,[1] on 4 April 2002, which ended hostilities in the country and created unprecedented conditions for the reestablishment and consolidation of peace in Angola;

3. *Calls upon* the Government of Angola to continue to contribute to and facilitate the delivery of humanitarian assistance and to continue to work towards ensuring the maintenance of the peace and national security that are so necessary for the reconstruction, rehabilitation and economic stabilization of the country, and encourages the Government to continue to allocate the necessary financial resources for the achievement of these objectives;

4. *Appeals* to Member States and in particular the donor community to support the projects foreseen in the mid-term review of the United Nations Consolidated Inter-Agency Appeal for 2002, estimated at 171,057,107 United States

[3] S/2002/834.

dollars, which are to be completed between September and December 2002 in order to assist, inter alia, the 4 million internally displaced people, of whom 1.54 million have critical food needs, and to be especially generous in their support for the United Nations Consolidated Inter-Agency Appeal for 2003;

5. *Notes* the commitment of the Government of Angola towards improving transparency and accountability in the management of public resources and encourages the Government to increase its efforts to that end;

6. *Requests* all countries and international, regional and subregional financial institutions to provide their support to the Government of Angola, with a view to alleviating the humanitarian situation, consolidating peace, democracy and economic stability throughout the country, and permitting the successful implementation of the Government's economic development programmes;

7. *Welcomes* the assistance provided by the Government of Angola and the international community to the quartering areas and reiterates the importance of continuing to assist the demobilized population and their families, many of which continue to require life-saving assistance;

8. *Urges* the Government of Angola to strengthen public administration, including the National Commission for Social and Productive Reintegration of the Displaced and Demobilized, to develop further a comprehensive resettlement and reintegration strategy, in cooperation with the international community, and to continue to implement its urban and rural poverty alleviation programmes with a view towards eradicating poverty and achieving sustainable development;

9. *Requests* the Government of Angola, the United Nations and the international financial institutions to take all necessary steps for the preparation and successful organization of an international donors conference in order to strengthen humanitarian and disaster relief assistance, including special economic assistance;

10. *Expresses its appreciation* to the international community, the United Nations system, funds and programmes, and the governmental and non-governmental organizations that are participating in humanitarian assistance programmes in Angola, including in mine-action activities, and appeals for their continued contribution in a manner complementary to that of the Government to humanitarian mine-action activities;

11. *Urges* the Government of Angola to take the lead in mobilizing funding for the expansion of programmes for humanitarian mine-action activities, and encourages international donors to contribute to these efforts;

12. *Expresses its profound gratitude* to donors and United Nations agencies, funds and programmes for the substantial assistance provided to Angola for the successful implementation of its economic development programme;

13. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-ninth session.

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Fifty-seventh session
Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Angola, Argentina, Czech Republic, Mozambique, Norway, Portugal and South Africa: draft resolution

International assistance for the economic rehabilitation of Angola

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Andorra, Austria, Bangladesh, Belgium, Benin, Botswana, Brazil, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, China, Congo, Côte d'Ivoire, Cuba, Cyprus, Denmark, Djibouti, Egypt, Eritrea, Ethiopia, Finland, France, Gabon, Germany, Greece, Guinea, India, Ireland, Italy, Jamaica, Japan, Lao People's Democratic Republic, Lesotho, Malawi, Malaysia, Mali, Mauritius, Mexico, Morocco, Namibia, Nigeria, Romania, Sao Tome and Principe, Senegal, Seychelles, Spain, Sudan, Swaziland, Sweden, Timor-Leste, Togo, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Zambia and Zimbabwe

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Fifty-seventh session
Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Afghanistan, Austria, Azerbaijan, Belgium, Czech Republic, Denmark, Finland, Georgia, Germany, Greece, Ireland, Italy, Kazakhstan, Kyrgyzstan, Luxembourg, Netherlands, Portugal, Russian Federation, Spain, Syrian Arab Republic, Tajikistan, Turkey, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan: draft resolution

Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan

The General Assembly,

Recalling its resolutions 51/30 J of 25 April 1997, 52/169 I of 16 December 1997, 53/1 K of 7 December 1998, 54/96 A of 8 December 1999, 55/45 of 27 November 2000 and 56/10 of 27 November 2001,

Having considered the report of the Secretary-General,[1]

Welcoming the further progress made by Tajikistan during the past year in consolidating peace, stability and a secure environment in the country,

Recognizing with satisfaction that the United Nations played a successful and important role in the peace process, expressing the belief that the Organization should continue to provide assistance to Tajikistan in post-conflict peace-building, and welcoming in this regard the efforts of the United Nations Tajikistan Office for Peace-building,

Noting with regret that the humanitarian situation has not improved, owing to the severe economic situation and the effects of drought, and that significant humanitarian needs continue to exist throughout Tajikistan,

[1] A/57/136.

02-69949 (E) 211102

Recognizing that the efforts of the Government and the assistance provided by the United Nations have been critical to covering immediate emergency needs and to mitigating the effects of the two-year drought on vulnerable households,

Recognizing also that the main humanitarian and rehabilitation objectives of the United Nations are to initiate a sustainable improvement in food security, improve access to primary health care and other basic social services, contribute to social rehabilitation, in particular through capacity-building within communities and the creation of employment opportunities, and combat drug trafficking and drug abuse,

Expressing concern that, despite the serious humanitarian situation in Tajikistan, the donor response to the 2002 consolidated appeals process has not yet reached its target, especially in such vital sectors as health, education and water sanitation in which needs are most crucial and for which urgent funding is needed,

Stressing that international funding for humanitarian operations is particularly important since such operations remain the principal means by which hundreds of thousands of Tajiks meet their basic needs,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Welcomes* the continued role of the United Nations in post-conflict peace-building in Tajikistan and the efforts of the United Nations Tajikistan Office for Peace-building in this regard;

3. *Stresses* that the current phase of post-conflict peace-building requires continued international assistance for Tajikistan;

4. *Recognizes* that humanitarian and rehabilitation assistance remains crucial, not only to sustain life but also to promote development and prevent renewed conflict;

5. *Welcomes with appreciation* the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute humanitarian problems of Tajikistan and in mobilizing assistance for the post-conflict rehabilitation, recovery and reconstruction of the country;

6. *Expresses its appreciation* to the Member States, the United Nations, the European Union, the World Bank and other intergovernmental organizations and all relevant humanitarian organizations, agencies and non-governmental organizations, including the International Federation of Red Cross and Red Crescent Societies, that have responded and continue to respond positively to the humanitarian needs of Tajikistan;

7. *Encourages* Member States and others concerned to continue to provide assistance to alleviate the urgent humanitarian needs of Tajikistan through the consolidated appeals process and to offer support to Tajikistan for the post-conflict rehabilitation and reconstruction of its economy;

8. *Emphasizes* the importance of further cooperation and assistance from the authorities in facilitating the work of humanitarian organizations, including non-governmental organizations, welcomes in this regard the establishment of the Aid Coordination Unit in the Executive Office of the President of Tajikistan for the purpose of tracking international humanitarian assistance, and urges the authorities to continue to simplify and streamline without delay the relevant internal bureaucratic procedures and requirements for the delivery of humanitarian assistance;

9. *Warmly welcomes* the intention of the Secretary-General to continue the United Nations humanitarian programme in Tajikistan by issuing a consolidated inter-agency appeal for humanitarian assistance to Tajikistan for 2003, taking into account current developments in the region, and urges Member States to fund fully and in timely manner programmes included in the appeal in order to meet the humanitarian needs of vulnerable populations in Tajikistan while the country moves ahead with peace-building and economic development;

10. *Calls upon* the Secretary-General to continue to re-evaluate all United Nations humanitarian assistance activities in Tajikistan with a view to preparing a common humanitarian strategy that would support the relief and recovery operations during the transitional period from relief to development, with a major focus on promoting self-reliance and sustainable development;

11. *Stresses* the need to ensure the security and freedom of movement of humanitarian personnel, and of United Nations and associated personnel, as well as the safety and security of their premises, equipment and supplies;

12. *Requests* the Secretary-General to continue to monitor the humanitarian situation in Tajikistan and to report to the General Assembly at its fifty-ninth session on the progress made in the implementation of the present resolution;

13. *Decides* to consider at its fifty-ninth session the question of the situation in Tajikistan under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance".

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Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Afghanistan, Austria, Azerbaijan, Belgium, Czech Republic, Denmark, Finland, Georgia, Germany, Greece, Ireland, Italy, Kazakhstan, Kyrgyzstan, Luxembourg, Netherlands, Portugal, Russian Federation, Spain, Syrian Arab Republic, Tajikistan, Turkey, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan: draft resolution

Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Armenia, Bangladesh, Canada, China, Egypt, France, India, Iran (Islamic Republic of), Japan, Lithuania, Malta, Morocco, Norway, Republic of Korea, Republic of Moldova, Romania, Slovenia, Sweden, and Ukraine

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Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Angola, Antigua and Barbuda, Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Ethiopia, Gabon, Gambia, Guinea, Guinea-Bissau, Honduras, Madagascar, Malawi, Mauritania, Namibia, Senegal, South Africa, Sudan, Swaziland, Togo, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution

Special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo

The General Assembly,

Recalling its previous resolutions on special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo,

Recalling also all Security Council resolutions and the statements by its President regarding the Democratic Republic of the Congo,

Recalling the Ceasefire Agreement signed at Lusaka[1] and the Kampala disengagement plan,[2] the obligations of all signatories to those agreements and the obligations deriving from Security Council resolution1304 (2000) of 16 June 2000,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Alarmed at the plight of the civilian population throughout the country, and calling for its protection,

Gravely concerned at the deteriorating economic and social situation in the Democratic Republic of the Congo, in particular in eastern Congo, and at the effect of the continued fighting on the inhabitants of the country, especially women and children,

[1] S/1999/815, annex.
[2] See S/2000/330 and Corr.1, paras. 21-28.

02-69955 (E) 201102

Deeply concerned at the increased rate of infection with human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), in particular among women and girls, in the Democratic Republic of the Congo,

Expressing its deep concern at the dire consequences of the conflict for the humanitarian and human rights situations and at reports of the illegal exploitation of the natural resources of the Democratic Republic of the Congo,

Gravely concerned at the negative impact of war on the promotion of the sustainable and overall development of the country,

Urging all parties to respect and protect human rights and respect international humanitarian law, in particular the Geneva Conventions of 1949[3] and the additional Protocols thereto, of 1977,[4]

Deeply concerned at the continued extensive destruction of life and property, as well as the severe damage to infrastructure and the environment, suffered by the Democratic Republic of the Congo,

Bearing in mind that the Democratic Republic of the Congo also suffers from the problems encountered by a country that has received thousands of refugees from neighbouring countries,

Recalling that the Democratic Republic of the Congo is a least developed country with severe economic and social problems arising from its weak economic infrastructure and aggravated by the ongoing conflict,

Bearing in mind the close interrelationship between ensuring peace and security and the ability of the country to meet the humanitarian needs of its people and take effective steps towards the rapid revitalization of the economy, and reaffirming the urgent need to assist the Democratic Republic of the Congo in the rehabilitation and reconstruction of its damaged economy and in its efforts to restore basic services and the infrastructure of the country,

1. *Takes note* of the report of the Secretary-General on special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo;[5]

2. *Welcomes* the signature by the Democratic Republic of the Congo and Rwanda of the Peace Agreement at Pretoria on 30 July 2002[6] and the signature by the Democratic Republic of the Congo and Uganda of the Agreement at Luanda on 6 September 2002 and welcomes also the efforts of the Governments of South Africa and of Angola, and of the Secretary-General of the United Nations, in facilitating the adoption of those agreements;

3. *Also welcomes* the decision taken by all foreign parties to withdraw fully their troops from the territory of the Democratic Republic of the Congo, as well as the progress made in the implementation of those processes, and stresses the importance for the withdrawals to be completed in a transparent, orderly and verified manner;

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[3] United Nations, Treaty Series, vol. 75, Nos. 970-973.

[4] Ibid., vol. 1125, Nos. 17512 and 17513.

[5] A/57/377.

[6] See S/2002/914, annex.

4. *Further welcomes* the commitment of the Congolese parties to achieve an inclusive agreement on the political transition, stresses the importance of such an agreement to the wider peace process, and calls upon all Congolese parties to cooperate actively with a view to the speedy conclusion of such an agreement;

5. *Stresses* that the peace process in the Democratic Republic of the Congo cannot be dissociated from the resumption of economic activity in the country;

6. *Also stresses* the importance of the restoration of river traffic, welcomes the reopening of the Congo and the Oubangi Rivers, and expresses its support for the establishment of the Congo River Basin Commission;

7. *Welcomes* the economic reforms undertaken by the Government of the Democratic Republic of the Congo, and underlines the urgent need for international economic assistance;

8. *Commends with appreciation* the Government of the Democratic Republic of the Congo for its cooperation with the United Nations, its specialized agencies and other organizations in addressing the need for rehabilitation and reconstruction, and in that regard welcomes the renewed dialogue and cooperation between them;

9. *Renews its urgent appeal* to the executive boards of the United Nations funds and programmes to continue to keep under consideration the special needs of the Democratic Republic of the Congo and expresses its appreciation to the Executive Board of the United Nations Development Programme and the United Nations Population Fund for its consideration of the country programme outline for the Democratic Republic of the Congo for the period 2003-2005;[7]

10. *Encourages* the Government of the Democratic Republic of the Congo to continue to pursue sound macroeconomic policies and to promote good governance and the rule of the law and urges the Government to exert all efforts to bring about economic recovery and reconstruction despite the ongoing armed conflict;

11. *Expresses its deep concern* over the worsening humanitarian situation throughout the country and in particular the Ituri region and urges all parties to take action to limit population displacement and put an end to the violations of human rights and international humanitarian law;

12. *Urges* all parties to respect fully the provisions of international humanitarian law and in this regard to ensure the safe and unhindered access of humanitarian personnel to all affected populations throughout the territory of the Democratic Republic of the Congo and the safety of United Nations and humanitarian personnel, and in that regard stresses once again that the reopening of the Kisangani-Kindu rail and river link is crucial since it would facilitate the delivery of humanitarian assistance, as well as the resupplying of humanitarian personnel;

13. *Calls upon* the international community to increase its support for humanitarian relief activities in the Democratic Republic of the Congo;

14. *Invites* Governments to continue to provide support to the Democratic Republic of the Congo;

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[7] DP/CPO/DRC/1.

15. *Requests* the Secretary-General:

(a) To continue to consult urgently with regional leaders, in coordination with the Secretary-General of the African Union, on ways to bring about a peaceful and durable solution to the conflict;

(b) To continue to consult with regional leaders, in coordination with the Interim Chairperson of the Commission of the African Union, in order to convene, when appropriate, an international conference on peace, security and development in Central Africa and in the Great Lakes region under the auspices of the United Nations and the African Union, to address the problems of the region in a comprehensive manner;

(c) To keep under review the economic situation in the Democratic Republic of the Congo with a view to promoting participation in and support for a programme of financial and material assistance to the Democratic Republic of the Congo to enable it to meet its urgent needs for economic recovery and reconstruction;

(d) To submit to the General Assembly at its fifty-eighth session a report on the actions taken pursuant to the present resolution.

United Nations A/57/L.44

General Assembly

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Fifty-seventh session
Agenda item 36
The situation in the Middle East

Afghanistan, Algeria, Bahrain, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Somalia, South Africa, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, are null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[1]

[1] A/57/470.

02-70207 (E) 211102

1. *Reiterates* its determination that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the religious and political concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the faithful of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

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Fifty-seventh session
Agenda item 36
The situation in the Middle East

Afghanistan, Algeria, Bahrain, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Somalia, South Africa, Togo, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, are null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[1]

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* Reissued for technical reasons.
[1] A/57/470.

02-70207* (E) 251102

1. *Reiterates* its determination that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

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General Assembly

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Fifty-seventh session
Agenda item 36
The situation in the Middle East

Afghanistan, Algeria, Bahrain, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[1]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

[1] A/57/470.
[2] United Nations, *Treaty Series*, vol. 75, No. 973.

02-70233 (E) 221102

Expressing grave concern over the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Also declares* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[3] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242 (1967) and 338 (1973);

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

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[3] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

United Nations A/57/L.46

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Fifty-seventh session
Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Algeria, Angola, Austria, Botswana, Brazil, Canada, Cape Verde, Chile, Comoros, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Denmark, Djibouti, Gabon, Germany, Greece, Guinea-Bissau, Ireland, Lesotho, Luxembourg, Malawi, Mauritius, Morocco, Mozambique, Namibia, Netherlands, Nigeria, Norway, Portugal, Romania, Sao Tome and Principe, Seychelles, South Africa, Swaziland, Sweden, Timor-Leste, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution

Assistance to Mozambique

The General Assembly,

Recalling Security Council resolution 386 (1976) of 17 March 1976,

Recalling also its relevant resolutions, in particular resolutions 45/227 of 21 December 1990, 47/42 of 9 December 1992, 49/21 D of 20 December 1994, 51/30 D of 5 December 1996, 53/1 G of 16 November 1998 and 55/167 of 14 December 2000, in which it urged the international community to respond effectively and generously to the call for assistance to Mozambique,

Recalling further the ten years of peace, stability, economic growth and development in Mozambique and the holding of a special high-level meeting of the Economic and Social Council on 4 October 2002 to commemorate the tenth anniversary of the signing of the General Peace Agreement, which ended the civil war in the country,[1]

Reaffirming the principles for humanitarian assistance contained in the annex to its resolution 46/182 of 19 December 1991,

Recalling its resolutions 48/7 of 19 October 1993, 49/215 of 23 December 1994, 50/82 of 14 December 1995, 51/149 of 13 December 1996 and 52/173 of 18 December 1997 on assistance in mine action, and stressing the need to foster the

[1] S/24635 and Corr.1, enclosure, annex.

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establishment of national mine action capacity with a view to enabling the Government of Mozambique to deal more effectively with the adverse effects of those weapons within the framework of the efforts for national reconstruction,

Recalling also its resolution 54/96 L of 10 March 2000 on assistance to Mozambique following the devastating floods,

Deeply concerned at the unprecedented floods in Mozambique in 2000 and 2001, which have resulted in the tragic loss of human lives, extensive destruction of property and infrastructure and the dislodging and scattering of landmines,

Deeply concerned also about the severe drought affecting Mozambique and other countries of southern Africa, resulting in famine and poverty,

Deeply concerned further at the impact of natural disasters on the economic, social and humanitarian situation in Mozambique and at the aggravating effects of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) pandemic,

Recognizing that natural disasters constitute one of the major problems for the development of Mozambique,

Aware that, to prevent and manage natural disasters, strategies at the local, national and regional levels are required, in addition to international assistance,

Bearing in mind the Brussels Declaration[2] and the Programme of Action for the Least Developed Countries for the decade 2001-2010,[3] adopted by the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001, and the mutual commitments entered into on that occasion,

Noting with appreciation the mobilization and allocation of resources by States, relevant organizations of the United Nations system and intergovernmental and non-governmental organizations to assist national efforts,

Noting with satisfaction the support by the international community of the post-emergency reconstruction programme presented by the Government of Mozambique,

Taking note of the donors' conferences held in Rome on 3 and 4 May 2000 and in Maputo on 12 and 13 July 2001, with the aim of mobilizing financial resources for the reconstruction of socio-economic infrastructure and assistance to the people affected by the floods,

Having considered the report of the Secretary-General on assistance to Mozambique,[4]

1. *Takes note* of the report of the Secretary-General on assistance to Mozambique;[4]

2. *Welcomes* the positive role of the Government of Mozambique in the relief operations, in particular the close coordination between United Nations and Government efforts;

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[2] A/CONF.191/12.
[3] A/CONF.191/11.
[4] A/57/97-E/2002/76.

3. *Also welcomes* the assistance rendered to Mozambique by various States, relevant organizations of the United Nations system, intergovernmental and non-governmental organizations and private individuals and groups to support national development efforts and post-emergency reconstruction programmes;

4. *Further welcomes* the ten years of peace, stability, economic growth and development in Mozambique, as well as the progress made in the consolidation of lasting peace and tranquillity, the enhancement of democracy and the promotion of national reconciliation in the country;

5. *Notes* the importance of international assistance for the reconstruction and development programmes in Mozambique, welcomes the pledges made by the development partners for those programmes, expresses its gratitude to the development partners that have already disbursed the pledged funds and urges others to speed up the process;

6. *Urges* the international community to render its assistance to the drought victims and for setting up national, subregional, regional and international disaster prevention, preparedness and management mechanisms, including early warning systems;

7. *Also urges* the international community to continue supporting the Government's efforts to fight the HIV/AIDS pandemic;

8. *Requests* the Secretary-General to make all necessary arrangements to continue to mobilize and coordinate, with a view to supporting the efforts of the Government of Mozambique:

(a) Humanitarian assistance from the specialized agencies, organizations and bodies of the United Nations system;

(b) International assistance for the national reconstruction and development of Mozambique;

9. *Also requests* the Secretary-General to report to it, for consideration at its fifty-ninth session, under the item on strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance, through the Economic and Social Council at the humanitarian segment of its substantive session in 2004, on the implementation of the present resolution.

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Agenda item 21 (b)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Algeria, Angola, Austria, Botswana, Brazil, Canada, Cape Verde, Chile, Comoros, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Denmark, Djibouti, Gabon, Germany, Greece, Guinea-Bissau, Ireland, Lesotho, Luxembourg, Malawi, Mauritius, Morocco, Mozambique, Namibia, Netherlands, Nigeria, Norway, Portugal, Romania, Sao Tome and Principe, Seychelles, South Africa, Swaziland, Sweden, Timor-Leste, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution

Assistance to Mozambique

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Argentina, Australia, Bangladesh, Belgium, Burkina Faso Cyprus, Egypt, Eritrea, Ethiopia, Finland, France, Guinea, India, Italy, Jamaica, Libyan Arab Jamahiriya, Malaysia, Niger, Spain, Sudan, Togo and United Kingdom of Great Britain and Northern Ireland

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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Algeria, Angola, Argentina, Australia, Austria, Belgium, Benin, Bolivia, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea-Bissau, Ireland, Italy, Japan, Luxembourg, Malta, Mexico, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Republic of Korea, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Timor-Leste, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Vanuatu: draft resolution

Assistance for humanitarian relief, rehabilitation and development for Timor-Leste

The General Assembly,

Welcoming the independence of Timor-Leste on 20 May 2002 and commending its people and its leadership for achieving independence through peaceful and democratic means,

Recalling all of its relevant resolutions on the situation in Timor-Leste,

Recalling with satisfaction its resolution 57/3 of 27 September 2002 on the admission of Timor-Leste to membership in the United Nations,

Recalling also all of the relevant Security Council resolutions and decisions on the situation in Timor-Leste, in particular resolution 1410 (2002) of 17 May 2002, which established the United Nations Mission of Support in East Timor,

Acknowledging the crucial role of the United Nations Transitional Administration in East Timor and the leadership of the Special Representative of the Secretary-General in assisting the people of Timor-Leste in the transition towards independence,

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Recognizing the essential role played by the international community, including the United Nations, other intergovernmental organizations, Member States and non-governmental organizations, in supporting the nation-building process of Timor-Leste leading towards independence,

Acknowledging the progress made in the transition from relief and rehabilitation to development in Timor-Leste, while noting continuing vulnerabilities, including the need to strengthen the preparedness and response capacity of the Government of Timor-Leste for addressing humanitarian emergencies, and the significant challenges of rehabilitation, reconstruction and development, in particular in the initial years of independence,

Emphasizing the need for continued international assistance to support the development of Timor-Leste in, inter alia, the education, health, agriculture, infrastructure, judicial, public administration and law enforcement sectors,

Welcoming the efforts of the Government of Indonesia and relevant intergovernmental and non-governmental organizations in providing humanitarian assistance to the refugees of Timor-Leste in the province of East Nusa Tenggara, West Timor, in facilitating their return to and reintegration in Timor-Leste or in assisting with their local integration and resettlement, as appropriate, in Indonesia,

1. *Welcomes* the report of the Secretary-General;[1]

2. *Also welcomes* the commitment of the international community to meet the external requirements for rehabilitation, reconstruction and development activities for Timor-Leste;

3. *Urges* the United Nations, other intergovernmental organizations, Member States and non-governmental organizations to continue to support the Government and people of Timor-Leste in their endeavours towards self-sustainable nation-building and in facing the remaining vulnerabilities and challenges, such as nationwide capacity-building in all sectors, national reconciliation and the return of refugees to Timor-Leste and sustainable development;

4. *Welcomes*, in this regard, the adoption of the first national development plan of Timor-Leste on 6 May 2002, which was the result of a participatory process and reflects the commitment of the Government of Timor-Leste to develop sustainable basic services;

5. *Acknowledges* that a transparent, effective and functioning democratic governmental administration is crucial to fostering a stable and secure social, economic and political environment in Timor-Leste, and in this regard urges the international community to continue to support efforts aimed at institution-building and the training of civil servants, in particular in the areas of public finances and senior management and in the development and maintenance of central and local administrative systems of government;

6. *Also acknowledges* the need to expedite the development of the justice sector of Timor-Leste and, in this regard, urges further international support in the areas of law enforcement, the judiciary and the prison system;

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[1] A/57/353.

7. *Welcomes* the continuing response of the international community to the need for food aid, and calls upon the United Nations, other intergovernmental organizations, Member States and non-governmental organizations to assist Timor-Leste in ensuring sustainable development in the areas of agriculture, livestock and fisheries;

8. *Takes note with appreciation* of the progress made in rehabilitating infrastructure, and recommends that outstanding infrastructure needs remain a focus of international assistance in such areas as the reconstruction and rehabilitation of public buildings, educational facilities, roads and public services, including water and sanitation and the supply of electricity;

9. *Commends* the continuous international response in providing health services to the general population, including the early deployment of immunization and disease-prevention programmes and reproductive health-care and child nutrition programmes, while recognizing the need for further assistance to rebuild hospitals, train health-care professionals and enhance capacity-building to meet the challenges to public health posed by such diseases as tuberculosis, malaria and human immunodeficiency virus/acquired immunodeficiency syndrome;

10. *Welcomes* the progress made in the rehabilitation of schools, the supply and distribution of educational materials and teacher training, while emphasizing the need for capacity-building, particularly in the area of secondary and higher education, and for continued attention to the rehabilitation needs, including psychosocial support, of children affected by violence;

11. *Also welcomes* the growing participation of the women of Timor-Leste in all aspects of society, and encourages further efforts to address gender issues, including the needs for research, services and appropriate legislation in order to combat domestic violence and other gender-related crimes;

12. *Further welcomes* the continuing efforts made by the Commission for Reception, Truth and Reconciliation to facilitate national reconciliation and the return of refugees to Timor-Leste;

13. *Welcomes* the decision by the United Nations Development Programme to start disbursing funds from the Special Fund established for former employees and pensioners of the Government of Indonesia in East Timor, also welcomes the financial commitments and contributions made by the international community and the Government of Indonesia to it, and encourages them to consider increasing their contributions;

14. *Also welcomes* the establishment by Timor-Leste and Indonesia of the Joint Ministerial Commission for Bilateral Cooperation, which will facilitate consultation and cooperation between the two countries in all areas of common interest;

15. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly for consideration at its fifty-eighth session.

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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Algeria, Angola, Argentina, Australia, Austria, Belgium, Benin, Bolivia, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea-Bissau, Ireland, Italy, Japan, Luxembourg, Malta, Mexico, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Republic of Korea, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Timor-Leste, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Vanuatu: draft resolution

Assistance for humanitarian relief, rehabilitation and development for Timor-Leste

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Armenia, Bangladesh, Belize, Costa Rica, Croatia, Cyprus, Eritrea, Guinea, Iceland, Israel, Malaysia, Philippines, Romania, Samoa, Singapore, Slovakia and Turkey

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Fifty-seventh session
Agenda item 25 (a)
Oceans and the law of the sea: oceans and the law of the sea

Australia, Austria, Belgium, Brazil, Canada, Denmark, Fiji, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Jamaica, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Russian Federation, Samoa, Solomon Islands, Spain, Sweden, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland and Vanuatu: draft resolution

Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 55/7 of 30 October 2000, 56/12 of 28 November 2001 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea ("the Convention")[1] on 16 November 1994,

Noting with satisfaction the adoption by the General Assembly, on 10 December 2002, of the Declaration on Oceans and Seas, commemorating the twentieth anniversary of the opening of the Convention for signature on the same day in 1982 in Montego Bay, Jamaica,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine

[1] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

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sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[2]

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Convinced of the need, building on arrangements established in accordance with the Convention, to improve coordination at the national level and cooperation and coordination at both intergovernmental and inter-agency levels, in order to address all aspects of oceans and seas in an integrated manner,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Welcoming the outcome of the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,[3]

Recalling the essential role of international cooperation and coordination in promoting the integrated management and sustainable development of the oceans and seas, and recalling also that the role of international cooperation and coordination on a bilateral basis and, where applicable, within a subregional, regional, interregional or global framework is to support and supplement the national efforts of all States, including coastal States, in promoting the implementation and observance of the Convention and the integrated management and sustainable development of coastal and marine areas,

Recalling also article 200 of the Convention,[1] in which States are encouraged to participate actively in regional and global programmes to acquire knowledge for the assessment of the nature and extent of marine pollution, and welcoming in this regard the recommendation of the World Summit on Sustainable Development to establish by 2004 a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments,[4]

Underlining once again the essential need for capacity-building to ensure that all States, especially developing countries, in particular least developed countries and small island developing States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, including through cooperation programmes with Governments, to the development of national and local capacity in marine science and the sustainable management of oceans and their resources,

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[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[3] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.1999/20), chap. I.

[4] Ibid., resolution 2, annex, para. 36 (b).

Taking note of the report of the Secretary-General,[5] and emphasizing in this regard the critical role of the annual comprehensive report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

Taking note also of the report on the work of the United Nations Open-ended Informal Consultative Process (the "Consultative Process") established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its third meeting,[6]

Reiterating its concern at the adverse impacts on the marine environment from ships, including pollution, in particular through the illegal release of oil and other harmful substances and by the dumping of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, as well as physical impacts on coral,

Welcoming resolution GC(46)/RES/9 adopted on 20 September 2002 by the General Conference of the International Atomic Energy Agency at its forty-sixth session,[7] concerning measures to strengthen international cooperation in nuclear, radiation, transport and waste safety, including those aspects relating to maritime transport safety,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the expected increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat in view of the progress in the work of the Commission on the Limits of the Continental Shelf ("the Commission") and the anticipated receipt of submissions from States, in addition to the expected growing involvement of the Division with requests for technical assistance from States and its role in inter-agency coordination and cooperation,

I. Implementation of the Convention and related agreements and instruments

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement");[8]

2. *Reaffirms* the unified character of the Convention;

3. *Calls once again upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent

[5] A/57/57 and Add.1.

[6] A/57/80.

[7] See *International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Forty-sixth Regular Session, 16-20 September 2002* (GC(46)/RES/DEC(2002)).

[8] Resolution 48/263, annex.

application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention are in conformity therewith and, otherwise, to withdraw any of their declarations or statements that are not in conformity;

4. *Encourages* States parties to the Convention to deposit with the Secretary-General charts and lists of geographical coordinates, as provided for in the Convention;

5. *Welcomes* the entry into force on 11 December 2001 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,[9] and calls upon all States that have not yet done so to become parties to it;

6. *Emphasizes* the essential need to also improve the implementation of international agreements in accordance with article 311 of the Convention and, where appropriate, to foster the conditions for the application of instruments of a voluntary nature, and recalls the important role of international organizations in achieving these goals;

II. World Summit on Sustainable Development

7. *Welcomes* the Plan of Implementation, adopted at the World Summit on Sustainable Development on 4 September 2002,[10] which once again emphasizes the importance of addressing the sustainable development of oceans and seas and provides for the further implementation of chapter 17 of Agenda 21;

8. *Welcomes also* the commitments set out in the Plan of Implementation to actions at all levels, within specific periods for certain goals, to ensure the sustainable development of the oceans, including sustainable fisheries, the promotion of the conservation and management of the oceans, enhancement of maritime safety and protection of the marine environment from pollution, and the improvement of scientific understanding and assessment of marine and coastal ecosystems as a fundamental basis for sound decision-making;

III. Meeting of States Parties

9. *Requests* the Secretary-General to convene the thirteenth Meeting of States Parties to the Convention in New York from 9 to 13 June 2003 and to provide the services required;

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[9] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[10] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.199/20), chap. I, resolution 2, annex.

IV. Settlement of disputes

10. *Notes with satisfaction* the continued contribution of the International Tribunal for the Law of the Sea ("the Tribunal") to the peaceful settlement of disputes in accordance with Part XV of the Convention, underlines its important role and authority concerning the interpretation or application of the Convention and the Agreement, encourages States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States parties to note the provisions of annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

11. *Equally pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

12. *Recalls* the obligation under article 296 of the Convention requiring all parties to a dispute before a court or a tribunal referred to in article 287 of the Convention to comply promptly with any decision rendered by such court or tribunal;

13. *Encourages* States parties to the Convention that have not yet done so to nominate conciliators and arbitrators in accordance with annexes V and VII to the Convention, and requests the Secretary-General to continue to update and circulate lists of these conciliators and arbitrators on a regular basis;

V. The Area

14. *Notes with satisfaction* the first examination by the Council of the International Seabed Authority ("the Authority") of annual reports on prospecting and exploration for polymetallic nodules in the Area submitted by contractors to the Authority;

15. *Notes* the preliminary discussion of issues relating to the regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the Area;

16. *Reiterates* the importance of the ongoing elaboration by the Authority, pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, the protection and conservation of the natural resources of the Area and the prevention of damage to its flora and fauna from harmful effects that may arise from activities in the Area;

VI. Effective functioning of the Authority and the Tribunal

17. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and appeals also to all former provisional members of the Authority to pay any outstanding contributions;

18. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[11] and to the Protocol on the Privileges and Immunities of the Authority;[12]

VII. The continental shelf and the work of the Commission

19. *Notes with satisfaction* the progress in the work of the Commission, especially that the consideration of submissions regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles has begun with receipt of the first submission, made by the Russian Federation on 20 December 2001;

20. *Encourages* States parties that are in a position to do so to make every effort to make submissions to the Commission within the time period established by the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention;[13]

21. *Encourages* States and relevant international organizations and institutions to consider developing and making available training courses to assist developing States in the preparation of such submissions, based on the outline for a five-day training course[14] prepared by the Commission in order to facilitate the preparation of submissions in accordance with its Scientific and Technical Guidelines;[15]

22. *Approves* the convening by the Secretary-General of the twelfth session of the Commission in New York from 28 April to 2 May 2003, followed by two weeks of meetings of a subcommission in the event a submission is made to the Commission, and of the thirteenth session of the Commission from 25 to 29 August 2003;

VIII. Marine science and technology

23. *Stresses* the importance of the issues of marine science and technology and the need to focus on how best to implement the many obligations of States and competent international organizations under Parts XIII and XIV of the Convention, and calls upon States to adopt, as appropriate and in accordance with international law, such national laws, regulations, policies and procedures as are necessary to promote and facilitate marine scientific research and cooperation, especially those relating to consent for marine scientific research projects as provided for in the Convention;

24. *Calls upon* States, through national and regional institutions, to ensure that, in respect of marine scientific research conducted pursuant to Part XIII of the Convention in areas over which a coastal State has jurisdiction, the rights of the coastal State under the Convention are respected and that, at the request of the coastal State, information, reports, results, conclusions and assessments of data, samples and research results are made available, and access to data and samples are provided, to that coastal State;

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[11] SPLOS/25.
[12] ISBA/4/A/8, annex.
[13] SPLOS/72.
[14] CLCS/24.
[15] CLCS/11 and Add.1 and Corr.1.

25. *Urges* relevant bodies of the United Nations system to develop, with the Intergovernmental Oceanographic Commission acting as a focal point and, where appropriate, other competent organizations, appropriate interactions in the field of marine science with regional fisheries organizations, environmental and scientific bodies or regional centres foreseen by Part XIV of the Convention, and encourages States to strengthen existing centres and to establish, where appropriate, such regional centres;

IX. Maritime safety and security

26. *Urges* all States and relevant international bodies to cooperate to prevent and combat piracy and armed robbery at sea by adopting measures, including those relating to assisting with capacity-building, prevention, reporting and investigating incidents, and bringing the alleged perpetrators to justice, in accordance with international law, and through the adoption of national legislation, as well as through training seafarers, port staff and enforcement personnel, providing enforcement vessels and equipment and guarding against fraudulent ship registration;

27. *Calls upon* States and private entities concerned to cooperate fully with the International Maritime Organization, including by submitting reports on incidents to the organization and by implementing its guidelines on preventing attacks of piracy and armed robbery;

28. *Urges* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol,[16] invites States to participate in the review of those instruments by the Legal Committee of the International Maritime Organization to strengthen the means of combating such unlawful acts, including terrorist acts, and further urges States to take appropriate measures to ensure the effective implementation of those instruments, in particular through the adoption of legislation, where appropriate, aimed at ensuring that there is a proper framework for responses to incidents of armed robbery and terrorist acts at sea;

29. *Welcomes* initiatives at the International Maritime Organization to counter the threat to maritime security from terrorism, and encourages States to support this endeavour fully, including at the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea of 1974 held in London from 9 to 13 December 2002;

30. *Once again invites* the International Hydrographic Organization, in cooperation with other relevant international organizations and interested Member States, to provide the necessary assistance to States, in particular to developing countries, in order to enhance hydrographic capability to ensure, in particular, the safety of navigation and the protection of the marine environment;

31. *Notes* the increasing problem of unsafe transport at sea generally, and particularly in the smuggling of migrants;

32. *Urges* Member States to work together cooperatively and with the International Maritime Organization to strengthen measures to prevent the embarkation of ships involved in the smuggling of migrants;

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[16] International Maritime Organization publication, Sales No. 462.88.12E.

33. *Urges* States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[17] and to take appropriate measures to ensure its effective implementation;

34. *Welcomes* the initiatives by the International Maritime Organization, the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to address the issue of the treatment of persons rescued at sea;

X. Capacity-building

35. *Reiterates its call* in paragraph 8 of its resolution 56/12, in line as well with the Plan of Implementation of the World Summit on Sustainable Development,[10] for reviews by the relevant international organizations and financial institutions and the donor community of the efforts to build capacity in order to identify the gaps that may need to be filled for ensuring consistent approaches, both nationally and internationally, in order to implement the Convention and chapter 17 of Agenda 21;

36. *Calls upon* bilateral and multilateral donor agencies to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

37. *Calls upon* States and international financial institutions, including through bilateral, regional and international cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training the necessary skilled personnel, providing the necessary equipment, facilities and vessels, and transferring environmentally sound technologies;

38. *Calls upon* the United Nations Environment Programme, working within the Global Resource Information Database (GRID) system for data and information management, to expand on a voluntary basis the capacity of existing GRID centres to store and handle research data from the outer continental margin, on a basis to be mutually agreed with the coastal State, and complementary to existing regional data centres, giving due regard to confidentiality needs and in accordance with Part XIII of the Convention, and making use of existing data management mechanisms under the Intergovernmental Oceanographic Commission and International Hydrographic Organization, with a view to serving the needs of coastal States, and in particular developing countries and small island developing States, in their compliance with article 76 of the Convention;

39. *Encourages* States to assist developing States, and especially least developed States and small island developing States, on a bilateral and, where appropriate, regional level, in the preparation of submissions to the Commission, including the assessment of the nature of the continental shelf of a coastal State

[17] Resolution 55/25, annex III.

made in the form of a desktop study, and the mapping of the outer limits of its continental shelf;

40. *Requests* the Secretary-General to compile in a uniform format a directory of sources of training, advice and expertise and technological services, including relevant institutions and other sources of technical information and practice, which may contribute to the preparation of such submissions, to be available to Member States and to be posted on the web site of the Division for Ocean Affairs and the Law of the Sea, bearing in mind that an entry in the directory would not imply official endorsement by the Secretariat of the United Nations of any such sources;

XI. Marine environment, marine resources and sustainable development

41. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures, directly or through competent international organizations, for the protection and preservation of the marine environment;

42. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, as a means of implementing the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities;[18]

43. *Also calls upon* States to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities,[19] to enhance maritime safety and the protection of the marine environment from pollution and other physical impacts, and to improve the scientific understanding and assessment of marine and coastal ecosystems as a fundamental basis for sound decision-making through the actions identified in the Plan of Implementation of the World Summit on Sustainable Development;[10]

44. *Invites* all relevant United Nations agencies to review individually their arrangements for collecting information and data relevant to the marine environment and for ensuring the quality of those data, using to the fullest possible extent what is available at the regional level, and to consider collectively how to ensure that the resulting information and data sets provide, within the constraints of existing resources, an acceptably consistent, coherent and comprehensive basis for international decision-making;

45. *Decides* to establish by 2004 a regular process under the United Nations for the global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments, and requests the Secretary-General, in close collaboration

[18] A/51/116, annex II.
[19] E/CN.17/2002/PC.2/15, annex, sect. 1.

with Member States, relevant organizations and agencies and programmes of the United Nations system (United Nations Environment Programme, Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, Food and Agriculture Organization of the United Nations, International Maritime Organization, World Health Organization, International Atomic Energy Agency, World Meteorological Organization and Secretariat of the Convention on Biological Diversity), other competent intergovernmental organizations and relevant non-governmental organizations, to prepare proposals on modalities for a regular process for the global reporting and assessment of the state of the marine environment, drawing, inter alia, upon the work of the United Nations Environment Programme pursuant to General Council decision 21/13, and taking into account the recently completed review by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, and to submit these proposals to the General Assembly at its fifty-eighth session for its consideration and decision, including on the convening of a possible intergovernmental meeting;

46. *Encourages* States to ratify or to accede to international agreements to prevent, reduce, control and eliminate pollution from ships, dumping, the carriage of hazardous and noxious substances, anti-fouling systems on ships and persistent organic pollutants, as well as agreements that provide for compensation for damage resulting from marine pollution;

47. *Welcomes* the decision of the International Maritime Organization to approve in principle the concept of a voluntary Model Audit Scheme as a means of enhancing the performance of member States in implementing appropriate conventions of the organization relating to maritime safety and the prevention of maritime pollution, and encourages the organization to continue to develop such a scheme;

48. *Invites* States to cooperate at the regional level to develop regionally shared goals and timetables in pursuance of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[18] including through regional seas conventions;

49. *Calls upon* States to take measures for the protection and preservation of coral reefs and to support international efforts in this regard, in particular the measures outlined in decision VI/3 adopted by the Conference of the Parties to the Convention on Biological Diversity at its sixth meeting, held at The Hague from 7 to 19 April 2002;[20]

50. *Also calls upon* States to develop national, regional and international programmes for halting the loss of marine biodiversity, in particular fragile ecosystems;

51. *Further calls upon* States to accelerate the development of measures to address the problem of invasive alien species in ballast water, and urges the International Maritime Organization to finalize the International Convention on the Control and Management of Ships' Ballast Water and Sediments;

52. *Calls upon* States to promote the conservation and management of the oceans in accordance with chapter 17 of Agenda 21 and other relevant international instruments, to develop and facilitate the use of diverse approaches and tools,

[20] See UNEP/CBD/COP/6/20, annex I.

including the ecosystem approach, the elimination of destructive fishing practices, the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012 and time/area closures for the protection of nursery grounds and periods, proper coastal and land use and watershed planning, and the integration of marine and coastal areas management into key sectors;

53. *Welcomes* the work of the Food and Agriculture Organization of the United Nations, which has special knowledge and expertise in various aspects of fisheries, in implementing the Code of Conduct for Responsible Fisheries,[21] for the conservation and management of fisheries resources;

54. *Urges* States to take all necessary steps to implement the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, adopted by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations, including through relevant regional and subregional fisheries management organizations and arrangements;

55. *Encourages* relevant international organizations, including the Food and Agriculture Organization of the United Nations, the International Hydrographic Organization, the International Maritime Organization, the International Seabed Authority, the United Nations Environment Programme, the World Meteorological Organization, the Secretariat of the Convention on Biological Diversity and the United Nations Secretariat (Division for Ocean Affairs and the Law of the Sea), with the assistance of regional and subregional fisheries organizations, to consider urgently ways to integrate and improve, on a scientific basis, the management of risks to marine biodiversity of seamounts and certain other underwater features within the framework of the Convention;

XII. Regional cooperation

56. *Emphasizes* the importance of regional organizations and arrangements for cooperation and coordination in integrated oceans management, and, where there are separate regional structures for different aspects of oceans management, such as environmental protection, fisheries management, navigation, scientific research and maritime delimitation, calls for those different structures, where appropriate, to work together for optimal cooperation and coordination;

57. *Takes note* of the Fund for Peace: Peaceful Settlement of Territorial Disputes established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and also takes note of the Caribbean-focused Trust Fund established by the Conference on Maritime Delimitation in the Caribbean, held in Mexico City from 6 to 8 May 2002, which is intended to facilitate, mainly as a conduit for technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, and calls upon States and others in a position to do so to contribute to these Funds;

[21] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

58. *Takes note also* of the Pacific Islands Regional Ocean Policy approved at the thirty-third meeting of the Pacific Island Forum, held in Suva from 15 to 17 August 2002;[22]

XIII. Open-ended informal consultative process on oceans and the law of the sea

59. *Reaffirms* its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea, welcomes the work of the Open-ended informal consultative process on oceans and the law of the sea ("the Consultative Process") over the past three years, notes the contribution of the Consultative Process to strengthening the General Assembly's annual debate on oceans and the law of the sea, and decides to continue with the Consultative Process for the next three years, in accordance with General Assembly resolution 54/33, with a further review of its effectiveness and utility at the sixtieth session;

60. *Requests* the Secretary-General to convene the meeting of the Consultative Process in New York from 2 to 6 June 2003, and to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in cooperation with other relevant parts of the Secretariat, including the Division for Sustainable Development of the Department of Economic and Social Affairs, as appropriate;

61. *Recommends* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its meeting, the Consultative Process organize its discussions around the following areas:

(a) Protecting vulnerable marine ecosystems;

(b) Safety of navigation; for example, capacity-building for the production of nautical charts;

as well as issues discussed at previous meetings;

XIV. Inter-agency coordination and cooperation

62. *Invites* the Secretary-General to establish an effective, transparent and regular inter-agency coordination mechanism on oceans and coastal issues within the United Nations system;

63. *Recommends* that this new mechanism should have a clear mandate and be established on the basis of principles of continuity, regularity and accountability, taking into account paragraph 49 of Part A of the report on the work of the Consultative Process at its third meeting;[6]

64. *Invites* Member States and, where appropriate, competent international organizations to identify focal points for the exchange of practical and administrative information concerning law of the sea and ocean issues with the United Nations Secretariat;

65. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and

[22] See A/57/331, annex, para. 23.

funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, drawing their attention to paragraphs of particular relevance to them, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

66. *Invites* the competent international organizations, as well as funding institutions, to take specific account of the present resolution in their programmes and activities, and to contribute to the preparation of the comprehensive report of the Secretary-General on oceans and the law of the sea;

XV. Activities of the Division for Ocean Affairs and the Law of the Sea

67. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea,[5] prepared by the Division for Ocean Affairs and the Law of the Sea, as well as for the other activities of the Division, in accordance with the provisions of the Convention and the mandate set forth in resolutions 49/28, 52/26, 54/33 and 56/12;

68. *Requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure that appropriate resources are made available to the Division for Ocean Affairs and the Law of the Sea for the performance of such responsibilities under the approved budget for the Organization;

69. *Invites* Member States and others in a position to do so to support the training activities under the TRAIN-SEA-COAST Programme of the Division for Ocean Affairs and the Law of the Sea;

XVI. Trust funds and fellowship

70. *Recognizes* the importance of the trust funds established by the Secretary-General pursuant to General Assembly resolution 55/7 for the purpose of assisting States in the settlement of disputes through the Tribunal,[23] and of assisting developing countries, in particular the least developed countries and small island developing States, in the preparation of submissions to the Commission in compliance with article 76 of the Convention,[24] in defraying the cost of participation of Commission members in the meetings of the Commission,[25] and in attending the meetings of the Consultative Process,[26] as well as other trust funds[27] established for the purpose of assisting States in the implementation of the Convention, and invites States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to these trust funds;

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[23] See resolution 55/7, para. 9.

[24] Ibid., para. 18.

[25] Ibid., para. 20.

[26] Ibid., para. 45.

[27] These include the Trust Fund of the Authority for the participation of members from developing countries in meetings of the Legal and Technical Commission and the Finance Committee (ISBA/8/A/11).

71. *Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980;

XVII. Fifty-eighth session of the General Assembly

72. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to provide the report in accordance with the modalities set out in resolutions 49/28, 52/26 and 54/33, and also requests the Secretary-General to make the report available, in its current comprehensive format, at least six weeks in advance of the meeting of the Consultative Process;

73. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Oceans and the law of the sea".

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Agenda item 25 (b)
Oceans and the law of the sea: large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas/illegal, unreported and unregulated fishing, fisheries by-catch and discards, and other developments

Australia, Austria, Belgium, Canada, Denmark, Fiji, Finland, France, Iceland, Ireland, Italy, Luxembourg, Marshall Islands, Micronesia (Federated States of), Namibia, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Russian Federation, Samoa, Solomon Islands, Spain, Sweden, Tonga, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America and Vanuatu: draft resolution

Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas/illegal, unreported and unregulated fishing, fisheries by-catch and discards, and other developments

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994, 50/25 of 5 December 1995, 51/36 of 9 December 1996, 52/29 of 26 November 1997, 53/33 of 24 November 1998 and 55/8 of 30 October 2000, as well as other resolutions on large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments, and noting resolution 57/... of 10 December 2002,

Noting that the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations[1] sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

[1] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), Sect. III.

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Welcoming the outcomes of the World Summit on Sustainable Development[2] concerning the importance of achieving sustainable fisheries to the maintenance of oceans, seas, islands and coastal areas as an integrated and essential component of the Earth's ecosystem, for global food security and for sustaining economic prosperity and the well-being of many national economies, particularly in developing countries,

Noting the importance of the wide application of the precautionary approach to the conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks, in accordance with the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement"),[3] and the Code of Conduct for Responsible Fisheries,

Noting also the importance of implementing the principles elaborated in article 5 of the Agreement, including ecosystem considerations, in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Noting further the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem[4] and decisions V/6 and VI/12 of the Conference of the Parties to the Convention on Biological Diversity,

Recognizing the importance of integrated, multidisciplinary and multisectoral coastal and ocean management at the national, subregional and regional levels,

Recognizing also that coordination and cooperation at the global, regional, subregional as well as national levels in the areas, inter alia, of data collection, information-sharing, capacity-building and training are crucial for the conservation, management and sustainable development of marine living resources,

Recognizing further the duty provided as a principle in the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas ("the Compliance Agreement"),[5] the Agreement and the Code of Conduct for Responsible Fisheries for flag States to exercise effective control over fishing vessels flying their flag and vessels flying their flag which provide support to such vessels, and to ensure that the activities of such vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Emphasizing the call made in the Plan of Implementation of the World Summit on Sustainable Development[6] for States to ratify or accede to and then effectively implement the Agreement and the Compliance Agreement and noting with concern that the latter agreement has not yet entered into force,

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[2] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.199/20), chap. I.

[3] Ibid., sect. I; see also A/CONF.164/37.

[4] E/CN.17/2002/PC.2/3, annex.

[5] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

[6] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.199/20), chap. I, resolution 2, annex.

Noting that the Committee on Fisheries of the Food and Agriculture Organization of the United Nations in February 1999 adopted international plans of action for the management of fishing capacity, for reducing the incidental catch of seabirds in longline fisheries and for the conservation and management of sharks, and noting with concern that only a small number of countries have begun implementation of the international plans of action,

Concerned also that illegal, unreported and unregulated fishing threatens seriously to deplete populations of certain fish species and significantly damage marine ecosystems and that illegal, unreported and unregulated fishing has a detrimental impact on sustainable fisheries, including the food security and the economies of many States, particularly developing States, and, in that regard, urging States and entities referred to in the United Nations Convention on the Law of the Sea ("the Convention")[7] and in article 1, paragraph 2 (b) of the Agreement to collaborate in efforts to address these types of fishing activities,

Welcoming the adoption by the Food and Agriculture Organization of the United Nations in 2001 of an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which focuses on the primary responsibility of the flag State and the use of all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market-related measures and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

Noting that the objective of the International Plan of Action is to prevent, deter and eliminate illegal, unreported and unregulated fishing by providing all States with comprehensive, effective and transparent measures by which to act, including through appropriate regional fisheries management organizations in accordance with international law,

Taking note with appreciation of the report of the Secretary-General,[8] and emphasizing the useful role that the report plays in bringing together information relating to the sustainable development of the world's marine living resources provided by States, relevant international organizations, regional and subregional fisheries organizations and non-governmental organizations,

Noting with satisfaction that the incidence of reported large-scale pelagic drift-net fishing activities in most regions of the world's oceans and seas has continued to be low,

Concerned that the practice of large-scale pelagic drift-net fishing remains a threat to marine living resources,

Expressing its continuing concern that efforts should be made to ensure that the implementation of resolution 46/215 in some parts of the world does not result in the transfer to other parts of the world of drift-nets that contravene the resolution,

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[7] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[8] A/57/459.

Expressing concern at the significant level of by-catch, including of juvenile fish, and discards in several of the world's fisheries, and recognizing that the development and use of selective, environmentally safe and cost-effective fishing gear and techniques will be important for reducing or eliminating by-catch and discards, and calling attention to the impact this activity can have on efforts to conserve and manage fish stocks, including restoring some stocks to sustainable levels,

Expressing concern also at the reports of continued loss of seabirds, particularly albatrosses, as a result of incidental mortality from longline fishing operations, and the loss of other marine species, including sharks and fin-fish species, as a result of incidental mortality, noting with satisfaction the successful conclusion of negotiations on the Agreement for the Conservation of Albatrosses and Petrels negotiated under the Convention on the Conservation of Migratory Species of Wild Animals, and encouraging States to give due consideration to participation in this Agreement,

Noting with satisfaction the recent entry into force of the Inter-American Convention for the Protection and Conservation of Sea Turtles and their Habitats, which contains provisions to minimize the incidental catch of sea turtles in fishing operations,

Noting also with satisfaction the recent adoption of regional sea turtle conservation instruments in the West African and Indian Ocean-South East Asia regions,

Recognizing the continuing need for the International Maritime Organization, the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, in particular its Regional Seas Programme, and regional and subregional fisheries management organizations and arrangements to address the issue of marine debris derived from land-based and ship-generated sources of pollution, including derelict fishing gear, which can cause mortality and habitat destruction of marine living resources,

1. *Reaffirms* the importance it attaches to the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the Convention,[7] in particular the provisions on cooperation set out in part V and part VII, section 2, of the Convention regarding straddling stocks, highly migratory species, marine mammals, anadromous stocks and marine living resources of the high seas, and where applicable, the Agreement;[3]

2. *Reaffirms also* the commitment made at the World Summit on Sustainable Development to restore depleted fish stocks on an urgent basis and where possible not later than 2015;

3. *Urges* all States to apply the precautionary approach widely to the conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks, and calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

4. *Encourages* States to apply by 2010 the ecosystem approach, notes the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem and

decisions V/6 and VI/12 of the Conference of Parties to the Convention on Biological Diversity, supports continuing work under way in the Food and Agriculture Organization of the United Nations to develop guidelines for the implementation of ecosystem considerations in fisheries management, and notes the importance of relevant provisions of the Agreement and the Code of Conduct for Responsible Fisheries to this approach;

5. *Reaffirms* the importance it attaches to compliance with its resolutions 46/215, 49/116, 49/118, 50/25, 52/29, 53/33 and 55/8, and urges States and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement to enforce fully the measures recommended in those resolutions;

6. *Reiterates* the importance of efforts by States directly or, as appropriate, through the relevant regional and subregional organizations, and by other international organizations, including through financial and/or technical assistance, to increase the capacity of developing States to achieve the goals and implement the actions called for in the present resolution;

7. *Appeals* to States and regional fisheries organizations, including regional fisheries management bodies and regional fisheries arrangements, to promote the application of the Code of Conduct for Responsible Fisheries within their areas of competence;

8. *Encourages* coastal States to develop ocean policies and mechanisms on integrated management, including at the subregional and regional levels and also including assistance to developing States in accomplishing these objectives;

9. *Calls upon* States and other entities referred to in article 10, paragraph 1, of the Compliance Agreement[5] that have not deposited instruments of acceptance of the Agreement to do so, as a matter of priority;

10. *Also calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas or in areas under the national jurisdiction of other States unless duly authorized by the authorities of the States concerned and in accordance with the conditions set out in the authorization, without having effective control over their activities and to take specific measures, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

11. *Further calls upon* States, in accordance with Agenda 21, adopted at the United Nations Conference on Environment and Development,[9] to take effective action, consistent with international law, to deter reflagging of vessels by their nationals as a means of avoiding compliance with applicable conservation and management measures for fishing vessels on the high seas;

12. *Notes with satisfaction* the continuing activities in the Food and Agriculture Organization of the United Nations through its Interregional Programme of Assistance to Developing Countries for the Implementation of the Code of Conduct for Responsible Fisheries (including the Global Partnerships for Responsible Fisheries), as a special programme funded through donor trust fund

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[9] *Report of the United Nations Conference on Environment and Development, Rio de Janiero, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

contributions aimed at, inter alia, promoting the implementation of the Code of Conduct and its associated international plans of action;

13. *Encourages* States to implement directly or, as appropriate, through the relevant international, regional and subregional organizations and arrangements, the international plans of action of the Food and Agriculture Organization of the United Nations for reducing the incidental catch of seabirds in longline fisheries, for the conservation and management of sharks and for the management of fishing capacity, since according to the timetables contained within the International Plans of Action, progress on implementation, in particular through the development of national plans of action, should be either completed or at an advanced stage;

14. *Urges* States to develop and implement national and, where appropriate, regional plans of action, to put into effect by 2004 the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations and to establish effective monitoring, reporting and enforcement and control of fishing vessels, including by flag States, to further the International Plan of Action;

15. *Also urges* States, as a matter of priority, to coordinate their activities and cooperate directly and, as appropriate, through relevant regional fisheries management organizations, in the implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, to promote information-sharing, to encourage the full participation of all stakeholders, and in all efforts to coordinate all the work of the Food and Agriculture Organization of the United Nations with other international organizations, including the International Maritime Organization;

16. *Invites* the Food and Agriculture Organization of the United Nations to continue its cooperative arrangements with United Nations agencies on the implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and to report to the Secretary-General, for inclusion in his annual report on oceans and the law of the sea, on priorities for cooperation and coordination in this work;

17. *Affirms* the need to strengthen, where necessary, the international legal framework for intergovernmental cooperation in the management of fish stocks and in combating illegal, unreported and unregulated fishing, in a manner consistent with international law;

18. *Notes with satisfaction* the continuing activities of the Food and Agriculture Organization of the United Nations aimed at providing assistance to developing countries in upgrading their capabilities in monitoring, control and surveillance, including through its Global Partnership for Responsible Fisheries project, "Management for Responsible Fisheries, Phase I", which provides assistance to developing countries in upgrading their capabilities in monitoring, control and surveillance, and improving the provision of scientific advice for fisheries management;

19. *Also notes with satisfaction* the establishment of the International Monitoring, Control, and Surveillance Network for Fisheries Related Activities, a voluntary network of monitoring, control and surveillance professionals designed to facilitate exchange of information and to support countries in satisfying their

obligations pursuant to international agreements, in particular the Compliance Agreement, and encourages States to consider becoming members of the Network;

20. *Urges* States to eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to over-capacity, while completing the efforts undertaken at the World Trade Organization to clarify and improve its disciplines on fisheries subsidies, taking into account the importance of this sector to developing countries;

21. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements that have not done so to take action to reduce or eliminate by-catch, fish discards and post-harvest losses, including juvenile fish, consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries, and in particular to consider measures including, as appropriate, technical measures related to fish size, mesh size or gear, discards, closed seasons and areas and zones reserved for selected fisheries, particularly artisanal fisheries, the establishment of mechanisms for communicating information on areas of high concentration of juvenile fish, taking into account the importance of ensuring confidentiality of such information, and support for studies and research that will minimize by-catch of juvenile fish;

22. *Notes with satisfaction* the activities of the Food and Agriculture Organization of the United Nations, in cooperation with relevant United Nations agencies, in particular United Nations Environment Programme and the Global Environment Facility, aimed at promoting the reduction of by-catch and discards in fisheries activities;

23. *Calls upon* the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, in particular its Regional Seas Programme, the International Maritime Organization, regional and subregional fisheries management organizations and arrangements and other appropriate intergovernmental organizations to take up, as a matter of priority, the issue of marine debris as it relates to fisheries and, where appropriate, to promote better coordination and help States to implement fully relevant international agreements, including annex V to the Guidelines of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto;

24. *Invites* States entitled to become parties to the Inter-American Convention for the Protection and Conservation of Sea Turtles and their Habitats to consider doing so, and to participate in its work;

25. *Also invites* States entitled to become parties to the Memorandum of Understanding Concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa and the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia to consider doing so, and to participate in their work;

26. *Invites* regional and subregional fisheries management organizations and arrangements to ensure that all States having a real interest in the fisheries concerned may become members of such organizations or participate in such arrangements, in accordance with the Convention and the Agreement;

27. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations and relevant non-governmental organizations, and to invite them to provide the Secretary-General with information relevant to the implementation of the present resolution;

28. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and consisting of elements to be provided by the General Assembly in its resolution on fisheries to be adopted at its fifty-eighth session;

29. *Decides* to include in the provisional agenda of its fifty-eighth session, under the item entitled "Oceans and the law of the sea", the sub-item entitled "Sustainable fisheries, including through the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments".

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General Assembly

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Fifty-seventh session
Agenda item 25 (c)
Oceans and the law of the sea: Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Australia, Austria, Belgium, Canada, Denmark, Fiji, Finland, France, Germany, Iceland, Ireland, Italy, Luxembourg, Marshall Islands, Micronesia (Federated States of), Namibia, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Russian Federation, Samoa, Solomon Islands, Spain, Sweden, Tonga, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America and Vanuatu: draft resolution

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The General Assembly,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Convention"),[1] and bearing in mind the relationship between the Convention and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement"),[2]

Recalling also its resolution 56/13 of 28 November 2001, and bearing in mind its resolution 57/... of 10 December 2002,

[1] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[2] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

02-70931 (E) 021202

Recognizing that, in accordance with the Convention, the Agreement sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas,

Welcoming the entry into force of the Agreement, and noting that the entry into force of the Agreement entails responsibilities for States parties and other important considerations as outlined in the Agreement,

Welcoming also the outcomes of the World Summit on Sustainable Development,[3] in particular, those relating to the conservation and management of straddling fish stocks and highly migratory fish stocks,

Deploring the fact that the straddling fish stocks and highly migratory fish stocks in many parts of the world are overfished or subject to sparsely regulated and heavy fishing efforts, mainly as a result of, inter alia, unauthorized fishing, inadequate regulatory measures and excess fishing capacity,

Recognizing that insufficient monitoring, control and surveillance measures and inadequate flag State control over vessels fishing for straddling fish stocks and highly migratory fish stocks in many parts of the world exacerbate the problem of overfishing, and recognizing also the urgent need for capacity-building in monitoring, control and surveillance measures and addressing inadequate flag State control for developing States, in particular the least developed among them and small island developing States,

Noting the obligation of all States, pursuant to the provisions of the Convention, to cooperate in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Conscious that the Agreement requires States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks either directly or through appropriate subregional or regional fisheries management organizations or arrangements, taking into account the specific characteristics of the subregion or region, to ensure the effective conservation, management and long-term sustainability of such stocks, and to establish such organizations or arrangements where none exist,

Recognizing the obligation of States to cooperate, either directly or through subregional, regional or global organizations, to enhance the ability of developing States, in particular the least developed among them and small island developing States, to conserve and manage straddling fish stocks and highly migratory fish stocks and to develop their own fisheries for such stocks,

Calling attention to the circumstances affecting fisheries in many developing States, in particular African States and small island developing States,

Taking into account that, in accordance with the Convention, the Agreement and the Code of Conduct for Responsible Fisheries of the Food and Agriculture

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[3] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.199/20), chap. I.

Organization of the United Nations,[4] States fishing for straddling fish stocks or highly migratory fish stocks on the high seas, and relevant coastal States, shall give effect to their duty to cooperate either directly or by becoming members of the subregional or regional fisheries management organizations or participants in arrangements of that nature, or by agreeing to apply the conservation and management measures established by such organizations or arrangements, and that States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements,

Recognizing the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration by the General Assembly of developments relating thereto,

Noting the outcomes of the first informal consultations of States parties to the Agreement, and taking into account the recommendations to the General Assembly by the States parties that participated in that meeting,

Emphasizing that, as recognized during the first informal consultations of States parties to the Agreement, implementation of the provisions in Part VII of the Agreement is fundamental to the successful implementation of the Agreement and, in particular, to assisting developing States, in particular the least developed among them and small island developing States, in meeting their obligations and realizing their rights under the Agreement,

Welcoming the conclusion of negotiations, and the ongoing preparatory work, to establish new regional instruments, arrangements and organizations in several heretofore unmanaged fisheries, and noting the role of the Convention and the Agreement, while taking into account the Code of Conduct for Responsible Fisheries, in the elaboration of these instruments, arrangements and organizations,

Welcoming also the fact that a growing number of States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, as well as regional and subregional fisheries management organizations and arrangements, have enacted legislation, established regulations, adopted conventions or taken other measures as steps towards implementation of the provisions of the Agreement,

1. *Expresses its deep satisfaction* at the entry into force of the Agreement;[2]

2. *Calls upon* all States, and entities referred to in the Convention[1] and in article 1, paragraph 2 (b), of the Agreement, that have not done so to ratify or accede to it and to consider applying it provisionally;

3. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

4. *Reaffirms* the outcomes of the World Summit on Sustainable Development,[3] in particular, those relating to the conservation and management of straddling fish stocks and highly migratory fish stocks;

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[4] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

5. *Emphasizes* the importance of the effective implementation of the provisions of the Agreement, including those provisions relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

6. *Urges* all States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation, management and long-term sustainability of such stocks, to agree upon measures necessary to coordinate and, where there are no subregional or regional fisheries management organizations or arrangements in respect of particular straddling or highly migratory fish stocks, to cooperate to establish such organizations or enter into other appropriate arrangements;

7. *Welcomes* the initiation of negotiations and ongoing preparatory work to establish regional and subregional fisheries management organizations or arrangements in several fisheries, and urges participants in those negotiations to apply provisions of the Convention and the Agreement to their work;

8. *Calls upon* all States to ensure that their vessels comply with the conservation and management measures that have been adopted by subregional and regional fisheries management organizations and arrangements in accordance with relevant provisions of the Convention and of the Agreement;

9. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and the expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of those fisheries resources;

10. *Invites* States and relevant intergovernmental organizations to develop projects, programmes and partnerships with relevant stakeholders and mobilize resources for the effective implementation of the outcome of the African Process for the Protection and Development of the Marine and Coastal Environment and to consider the inclusion of fisheries components in this work;

11. *Also invites* States and relevant intergovernmental organizations to further implement sustainable fisheries management and improve financial returns from fisheries by supporting and strengthening relevant regional fisheries management organizations, as appropriate, such as the recently established Caribbean Regional Fisheries Mechanism and such agreements as the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

12. *Recognizes* the benefits of developing a programme of assistance with multiple components in accordance with Part VII of the Agreement, to complement programmes at the bilateral, subregional, regional and global levels;

13. *Requests* the Secretary-General to include in his next report on the status and implementation of the Agreement a background study on current activities under Part VII of the Agreement and emphasizes the importance of this request to the successful development of terms of reference for a Part VII fund, calls for the study to include a survey of current assistance programmes under way in support of Part VII principles and an analysis of such programmes, and requests that the study be completed before the next round of informal consultations of the Secretary-General with States parties to the Agreement;

14. *Considers* that one component of a programme of assistance to be developed in accordance with Part VII of the Agreement should be the establishment of a voluntary trust fund (Part VII fund) within the United Nations system, to support developing States parties, in particular the least developed among them and small island developing States, dedicated to Part VII implementation, notes the role of the Food and Agriculture Organization of the United Nations as the specialized agency responsible for fisheries, and that of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat as the secretariat for the Agreement, and requests the Committee on Fisheries of the Food and Agriculture Organization of the United Nations at its next meeting to consider its participation in the development and management of the Part VII fund;

15. *Urges* States parties to the Agreement to develop detailed terms of reference for the Part VII fund and requests that the following activities be considered for early implementation through the Part VII fund:

(a) Facilitating the participation of developing States parties in relevant regional and subregional fisheries management organizations and arrangements;

(b) Assisting with travel costs associated with the participation of developing States parties in meetings of relevant global organizations;

(c) Supporting ongoing and future negotiations to establish new regional or subregional fisheries management organizations and arrangements in areas without such bodies currently in place, and to strengthen existing subregional and regional fisheries management organizations and arrangements;

(d) Building capacity for activities in key areas such as monitoring, control and surveillance, data collection and scientific research;

(e) Exchanging information and experience on the implementation of the Agreement;

(f) Assisting with human resources development and technical assistance;

16. *Emphasizes* the importance of outreach to potential donor organizations to contribute to the programme of assistance;

17. *Recalls* paragraph 6 of its resolution 56/13, and requests the Secretary-General to convene a second round of informal consultations with States that have either ratified or acceded to the Agreement, for the purposes and objectives of considering the national, regional, subregional and global implementation of the Agreement, and making any appropriate recommendation to the General Assembly;

18. *Requests* the Secretary-General to invite States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, not party to the Agreement as well as the United Nations Development Programme, the Food and

Agriculture Organization of the United Nations and other specialized agencies, the Commission on Sustainable Development, the World Bank, the Global Environment Facility and other relevant international financial institutions, regional fishery bodies and arrangements, and relevant non-governmental organizations to attend the second round of informal consultations with States parties to the Agreement as observers;

19. *Also requests*, the Secretary-General to develop, in consultation with the Food and Agriculture Organization of the United Nations, a voluntary survey to solicit information from States parties and other States that may wish to participate, as well as regional and subregional fisheries management organizations and arrangements, on activities related to the implementation of provisions of the Agreement, similar to the survey currently in use by the Food and Agriculture Organization concerning implementation of the Code of Conduct, with a view to encouraging through this mechanism greater exchange of information with regard to implementation of the Agreement, and to include the results of the survey in the report of the Secretary-General to the General Assembly at its fifty-eighth session, on the understanding that such a report will also be available to the second informal consultations of States parties for their consideration;

20. *Further requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and consisting of elements to be provided by the General Assembly in its resolution on fisheries to be adopted at the fifty-eighth session;

21. *Decides* to include in the provisional agenda of its fifty-eighth session, under the item entitled "Oceans and the law of the sea", a sub-item entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments".

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General Assembly

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Fifty-seventh session
Agenda item 21 (c)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: assistance to the Palestinian people

Austria, Bangladesh, Belgium, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Guinea, Iceland, Ireland, Italy, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovenia, Spain, Sweden, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 56/111 of 14 December 2001, as well as previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[1] and the subsequent implementation agreements concluded by the two sides,

Gravely concerned at the deterioration of the living conditions of the Palestinian people throughout the occupied territory, which constitutes a mounting humanitarian crisis,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

[1] A/48/486-S/26560, annex.

02-71342 (E) 291102

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Noting the convening of the United Nations seminar on assistance to the Palestinian people, held in Vienna on 20 and 21 February 2001, to review the state of the Palestinian economy,[2]

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, and welcoming in this regard the establishment by the Quartet of the Task Force on Palestinian Reform,

Noting the appointment by the Secretary-General of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

Welcoming also the work of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Stressing the continued importance of the work of the Ad Hoc Liaison Committee in the coordination of assistance to the Palestinian people,

Having considered the report of the Secretary-General,[3]

Expressing grave concern at the continuation of the recent tragic and violent events that have led to many deaths and injuries,

1. *Takes note* of the report of the Secretary-General;[3]

2. *Takes note also* of the report of the Personal Humanitarian Envoy of the Secretary-General on the humanitarian conditions and needs of the Palestinian people;[4]

3. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

4. *Expresses its appreciation also* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

5. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to

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[2] See A/56/89-E/2001/89, annex.

[3] A/57/130-E/2002/79.

[4] See http://domino.un.org/bertini_rpt.htm.

ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

6. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

7. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with Palestinian priorities set forth by the Palestinian Authority;

8. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

9. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

10. *Stresses* in this context the importance of ensuring the free passage of aid to the Palestinian people and the free movement of persons and goods;

11. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend as rapidly as possible emergency economic and humanitarian assistance to the Palestinian people to counter the impact of the current crisis;

12. *Stresses* the need to implement the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[5] in particular with regard to the full and prompt clearance of Palestinian indirect tax revenues;

13. *Suggests* the convening in 2003 of a United Nations-sponsored seminar on assistance to the Palestinian people;

14. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-eighth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

15. *Decides* to include in the provisional agenda of its fifty-eighth session the sub-item entitled "Assistance to the Palestinian people".

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[5] A/51/889-S/1997/357, annex.

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General Assembly

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Fifty-seventh session
Agenda item 19
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Cuba, Grenada and Saint Lucia: draft resolution

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, most recently resolution 56/74 of 10 December 2001, as well as the relevant resolutions of the Security Council,

Bearing in mind the declaration of the period 2001-2010 as the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the Organization and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism before 2010, as called for in its resolution 55/146 of 8 December 2000,

Reiterating its conviction of the need for the eradication of colonialism, as well as of racial discrimination and violations of basic human rights,

[1] A/57/23 (Part I), A/57/23 (Part II) and Add.1 and A/57/23 (Part III). For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.

02-71473 (E) 291102

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee,

Noting with concern that the non-participation of certain administering Powers has adversely affected the implementation of the mandate and work of the Special Committee,

Noting with satisfaction the cooperation and active participation of some administering Powers in the work of the Special Committee,

Noting that the other administering Powers have now agreed to work informally with the Special Committee,

Taking note of the consultations and agreements between the parties concerned in some Non-Self-Governing Territories and the action taken by the Secretary-General in relation to certain Non-Self-Governing Territories,

Aware of the pressing need of newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

Aware also of the pressing need of many of the remaining Non-Self-Governing Territories, many of which are small island Territories, for economic, social and other assistance from the United Nations and the organizations of its system,

Taking special note of the fact that the Special Committee held a Pacific regional seminar to review the situation in the Non-Self-Governing Territories, particularly their political evolution towards self-determination for the year 2002 and beyond, in Nadi, Fiji, from 14 to 16 May 2002,[2]

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, in which it declares the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[3]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

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[2] See A/57/23 (Part I), chap. II, annex. For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.

[3] Resolution 217 A (III).

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2002, including the programme of work envisaged for 2003;[4]

6. *Calls upon* the administering Powers to cooperate fully with the Special Committee to finalize before the end of 2003 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

7. *Welcomes* the ongoing consultations between the Special Committee and New Zealand, as administering Power for Tokelau, with the participation of representatives of the people of Tokelau, with a view to advancing the programme of work on the question of Tokelau, and also welcomes the report of the United Nations Mission that visited Tokelau in August 2002 at the invitation of New Zealand and Tokelau;[5]

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its fifty-eighth session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To finalize before the end of 2003 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

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[4] See A/57/23 (Part I), chap. I, sect. J. For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.

[5] See A/57/23 (Part II)/Add.1. For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[6]

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that the economic activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, including land, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Reiterates* that military activities and arrangements by administering Powers in the Non-Self-Governing Territories under their administration should not run counter to the rights and interests of the peoples of the Territories concerned, especially their right to self-determination, including independence, calls upon the administering Powers concerned to terminate such activities and to eliminate the remaining military bases in compliance with the relevant resolutions of the General Assembly, and also calls upon the administering Powers to promote alternative sources of livelihood for the peoples of the Territories concerned;

13. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance to the peoples of the Non-Self-Governing Territories, and requests that the administering Powers take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

14. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

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[6] See resolution 2911 (XXVII).

15. *Calls upon* the administering Powers that have not participated formally in the work of the Special Committee to do so at its session in 2003;

16. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.